

REMARKS/ARGUMENTS

Applicant responds herein to the Office Action dated August 10, 2005. A Petition for Extension of Time (three months) and the fee therefor are enclosed.

Applicant's attorneys appreciate the Examiner's thorough search and examination of the present patent application and the indication that claims 12 and 13 would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

Claims 1-15 are pending in this application. Claims 1-11, 14 and 15 are rejected.

Claims 1-3, 6-11, and 14 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0178941 to Horibe et al. ("Horibe") in view of U.S. Patent No. 5,903,091 to MacLennan et al. ("MacLennan"). Furthermore, Claims 4, 5, and 15 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Horibe in view of MacLennan and further in view of U.S. Patent No. 6,815,889 to Haacke et al. ("Haacke").

In response, claims 1 and 15 were amended to more clearly define the features of the claimed invention and to more clearly distinguish from the cited references; claim 8 and 9 were canceled; and new claims 16 and 17 have been added.

All independent claims of the present application now recite forming a filling space having a complete or an incomplete spherical shape. These claims also recite a protruding portion extendingly formed at an inner circumference of the filling space and serving as an electrode. More specifically, the protruding portion serving as an electrode accelerates the cooling of the gas-fill in the filling space in case of re-lighting after lighting out. Accordingly, the reemission time of the plasma in the filling space of the bulb is reduced. Also, the protruding portion serving as an electrode shortens an initial lighting time during the initial lighting.

Horibe does not disclose any of these features. Its bulb does not have a spherical filling space therein. The projections, as described in the second sentence of paragraph 38 of Horibe, are the "light emitting bulbs included projections 23 as liquid holding portions." Thus, these projections can't serve as an electrode.

MacLennan does not disclose a protruding portion formed in the bulb. Therefore, MacLennan does not disclose the protruding portion serving as an electrode.

Finally, Haacke does not disclose a filling space formed as a complete spherical shape or an incomplete spherical shape; the protruding portion extendingly formed at an inner circumference of the filling space of the bulb; or the protruding portion serving as an electrode.

Thus, Applicants' independent claims 1 and 15-17 are patentably distinct from Horibe, MacLennan, Haacke, and their combinations. Claims 2-7 and 10-14 depend directly or indirectly from above discussed independent claims and are, therefore, patentable for the same reasons, as well as because of the combination of features in those claims with the features set forth in the respective independent claims.

Accordingly, the Examiner is respectfully requested to reconsider the application, allow the claims as amended and pass this case to issue.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on February 10, 2006:

MAX MOSKOWITZ
Name of applicant, assignee or
Registered Representative

Signature

February 10, 2006
Date of Signature

Respectfully submitted,

MAX MOSKOWITZ
Registration No.: 30,576
OSTROLENK, FABER, GERB & SOFFEN, LLP
1180 Avenue of the Americas
New York, New York 10036-8403
Telephone: (212) 382-0700